

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CENTRAL LABORERS' PENSION,
WELFARE, & ANNUITY FUNDS,**

Plaintiffs,

vs.

JPK EXCAVATING, INC.,

Defendant.

)
)
)
)
)
)
)
)
)
)

CIVIL NO. 06-CV-146 DRH

ORDER

HERNDON, District Judge:

The Court having been advised by counsel for the parties that the above action has been settled but that additional time is needed to consummate the settlement, the Clerk of Court is **DIRECTED** to enter judgment dismissing this action with prejudice and without costs 60 days from the date of this Order. Should the parties fail to consummate settlement within 60 days, they may petition the Court to delay entry of judgment.

In light of the parties' settlement, the Court **DENIES as moot** all pending motions and **VACATES** all court dates.

IT IS SO ORDERED.

DATED: December 28, 2006.

/s/ David RHerndon
UNITED STATES DISTRICT JUDGE